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TO: COMMISSIONER FOR PATENTS

FROM: DAVID J. WEITZ

FAX NUMBER: (571) 273-8300

DATE: MARCH 3, 2006

COMPANY: U.S. PATENT AND TRADEMARK  
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SENDER'S PHONE NUMBER:

(858) 731-3508

RE: U.S.S.N. 10/659,055; POWER OF  
ATTORNEY BY ASSIGNEE TO EXCLUSION OF  
INVENTOR UNDER 37 C.F.R § 3.71 WITH  
REVOCATION OF PRIOR POWERS

SENDER'S FAX NUMBER:

(858) 550-0992

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

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PTO/SB/21 (09-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/659,055
		Filing Date	September 9, 2003
		First Named Inventor	Kathleen Aertgeerts et al.
		Art Unit	1646
		Examiner Name	Nashaat T. Nashed
Total Number of Pages in This Submission	7	Attorney Docket Number	DPP-IV-5001-C1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney by Assignee to Exclusion of Inventor Under 37 CFR § 3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> Although Applicants do not believe any fees are required, the Commissioner is authorized to charge any fees required by the filing of these papers to Takeda San Diego's Deposit Account No. 50-2256.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Takeda San Diego, Inc.		
Signature			
Printed name	David J. Weitz		
Date	March 3, 2006	Reg. No.	38,362

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at (571) 273-8300 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Signature	
Typed or printed name	Jennifer L. Sammartin
Date	March 3, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: DPP-IV-5001-C1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of	)	PATENT APPLICATION
	)	
Kathleen Aertgeerts et al.	)	Group Art Unit: 1646
	)	
Application No.: 10/659,055	)	Examiner: Nashaat T. Nashed
	)	
Filed: September 9, 2003	)	
	)	
Title: CRYSTALLIZATION OF	)	
DIPEPTIDYL PEPTIDASE	)	
IV (DPPIV)	)	

**POWER OF ATTORNEY BY ASSIGNEE TO EXCLUSION OF  
INVENTOR UNDER 37 CFR § 3.71 WITH  
REVOCATION OF PRIOR POWERS**

The undersigned ASSIGNEE of the entire interest in U.S. Patent Application Serial No. 10/659,055 filed on September 9, 2003 hereby appoints David J. Weitz, Reg. No., 38,362, General Counsel, V.P. of Intellectual Property and Secretary, and all other attorneys/patent agents registered to practice before the United States Patent and Trademark Office (USPTO) associated with Customer No. 32793 to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be the exclusion of the inventors and any of the inventors' prior attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the ASSIGNEE:

- (i) Assignment from inventors to Syrrx, Inc. recorded by the USPTO on April 5, 2004, at Reel 015184, Frame 0341;

Attorney Docket No.: DPP-IV-5001-C1


- (ii) A copy of the Name Change from Syrrx, Inc. to Takeda San Diego, Inc.  
(Exhibit A); and
- (iii) Assignment from Takeda San Diego, Inc. to Takeda Pharmaceutical  
Company Limited submitted to the USPTO on January 12, 2006 (Exhibit A).

Pursuant to 37 C.F.R. § 3.73(b), the undersigned ASSIGNEE hereby states that  
evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's  
knowledge and belief, title is in the identified ASSIGNEE, TAKEDA PHARMACEUTICAL  
COMPANY LIMITED.

Direct all correspondence and telephone calls to Customer No. 32793:

David J. Weitz  
General Counsel, V.P. of Intellectual Property  
and Secretary  
Takeda San Diego, Inc.  
10401 Science Center Drive  
San Diego, CA 92121  
Telephone: (858) 622-8528  
Facsimile: (858) 550-0992

ASSIGNEE: Takeda Pharmaceutical Company  
Limited  
1-1 Doshomachi 4-chome, Chuo-ku  
Osaka, Japan

Signature:   
Hiroshi Akimoto, Ph. D.  
Name: Managing Director, Member of The Board.  
Title: \_\_\_\_\_  
Date: February 22, 2006

# Exhibit A

Patent  
Attorney Docket No. SYR-DPP-IV-5001

### ASSIGNMENT OF PATENT APPLICATION

**TAKEDA SAN DIEGO, INC.**, a corporation organized and existing under and by virtue of the laws of the State of Delaware, having its place of business at 10410 Science Center Drive, San Diego, California 92121, and being formerly known as Syrrx, Inc. (See Exhibit A) (hereinafter referred to as "ASSIGNOR") invented certain inventions for which the following applications for patents were filed:

Serial Number	Title	Filing Date	Country
60/409,206	Crystallization and Crystal Structure of Dipeptidyl Peptidase IV (DPPIV)	9/09/2002	US
10/659,055	Crystallization and Crystal Structure of Dipeptidyl Peptidase IV (DPPIV)	9/09/2003	US
10/666,941	Crystallization and Crystal Structure of Dipeptidyl Peptidase IV (DPPIV)	9/19/2003	US

**TAKEDA PHARMACEUTICAL COMPANY LIMITED**, a Japanese corporation having its principal office at 1-1, Doshomachi 4-chome, Chuo-ku, Osaka, Japan (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns, transfers and sets over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNOR hereby authorizes and requests the United States Commissioner of

Patent  
Attorney Docket No. SYR-DPP-IV-5001

Patents and Trademarks and any officials of foreign countries whose duty it is to issue patents or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at San Diego, California, this 11<sup>th</sup> day of January, 2006.

**TAKEDA SAN DIEGO, INC.**

Signed: David J. Weitz  
Name: David J. Weitz  
Title: General Counsel & V.P. of I.P.

**State of California  
Secretary of State**

**NAME CHANGE  
CERTIFICATE OF QUALIFICATION**

**C2382609**

I, BRUCE McPHERSON, Secretary of State of the State of California, hereby certify that on the 19th day of April, 2005, there was filed in this office an Amended Statement and Designation by Foreign Corporation whereby the corporate name of SYRRX, INC., a corporation organized and existing under the laws of Delaware, was changed to TAKEDA SAN DIEGO, INC.. This corporation complied with the requirements of California law in effect on that date for the purpose of qualifying to transact Intrastate business in the State of California and as of said date has been and is qualified and authorized to transact intrastate business in the State of California, subject however, to any licensing requirements otherwise imposed by the laws of this State.

IN WITNESS WHEREOF, I execute this  
certificate and affix the Great Seal  
of the State of California this day  
of April 29, 2005.



**BRUCE McPHERSON**  
Secretary of State

NP-25 (REV 03/31/05)

WMH